

27726. Adulteration and misbranding of Hospital Absorbent Cotton. U. S. v. 20 Gross Packages of Hospital Absorbent Cotton. Default decree of condemnation and destruction. (F. & D. No. 40037. Sample No. 67454-C.)

This product was represented to be sterile but in fact was contaminated with viable micro-organisms.

On August 4, 1937, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 20 gross packages of Hospital Absorbent Cotton at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about July 6, 1937, by the Bruce-Murray Corporation from New York, N. Y., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Sterilized Purified Acme Cotton Products Co., Inc. New York."

It was alleged to be adulterated in that its purity fell below the professed standard under which it was sold, namely, "Hospital Absorbent Cotton Sterilized Purified," since it was not sterile but was contaminated with viable micro-organisms, including gas-producing organisms.

The article was alleged to be misbranded in that the following statements on the label were false and misleading when applied to an article that was not sterile: "Hospital Absorbent Cotton Sterilized Purified Sterilized Absorbent Cotton Acme * * *."

On August 30, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27727. Misbranding of Count's Kill Germ. U. S. v. 11 Bottles and 45 Bottles of Count's Kill Germ. Default decrees of destruction. (F. & D. Nos. 39952, 39953. Sample Nos. 37068-C, 37069-C.)

The labeling of this product contained false and fraudulent representations regarding its curative or therapeutic effects, and also bore false and misleading representations regarding its alleged effectiveness as a germicide.

On July 8, 1937, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 56 bottles of Count's Kill-Germ at Louisville, Ky., alleging that the article had been shipped in interstate commerce on or about December 7 and December 31, 1936, by Count's Chemical Co. from Nashville, Tenn., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of mineral oil, with small amounts of pine-needle oil and water. Bacteriological examination showed that it was devoid of antiseptic properties.

The article was alleged to be misbranded in that the statement "Kill-Germ," borne on the wrapper and bottle, was false and misleading since it represented that the article would kill germs; whereas it was devoid of germicidal properties.

It was alleged to be misbranded further in that the following statements on the wrapper and bottle, regarding its curative or therapeutic effects, were false and fraudulent: (Wrapper) "The Healer of the Age;" (bottle) "Kill-Germ. Recommended for: Rheumatism, coughs, colds, asthma, indigestion, catarrhal bronchitis, catarrh of the stomach or ulcerated stomach, and as a blood purifier. For sores, burns, boils, carbuncles, felons, * * * cuts, ringworm, erysipelas, gaulds, * * * any inflammation of the mucous membranes, eye, ear, nose, or throat. * * * For piles or hemorrhoids."

An August 17, 1937, no claimant having appeared, judgments were entered ordering that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27728. Adulteration and misbranding of nitrous oxide. U. S. v. 2 Cylinders of Nitrous Oxide. Default decree of condemnation and destruction. (F. & D. No. 39958. Sample Nos. 34335-C, 34336-C.)

This product was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard established by that authority because of the presence of gas or gases other than nitrous oxide in excess of the tolerance permitted by the pharmacopoeia.

On July 10, 1937, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of two cylinders of nitrous oxide